


PROB 12B (Rev. 08/18)		SUPERVISION REPORT REQUEST FOR MODIFYING THE CONDITIONS OR TERM OF SUPERVISION WITH THE CONSENT OF THE OFFENDER (Probation Form 49, Waiver of Hearing is Attached)		U. S. Probation Office Eastern District of Michigan	PACTS 34871	DATE 08/23/2019
NAME MCMICHAEL, Thaddeus Lewis		OFFICER Jeffry W. Konal		CHIEF JUDGE Denise Page Hood		DOCKET # 13-CR-20443-01
ORIGINAL SENTENCE DATE 01/16/2014 COMMENCED 10/09/2018 EXPIRATION 10/08/2023	SUPERVISION TYPE Supervised Release	CRIMINAL HISTORY CATEGORY I	TOTAL OFFENSE LEVEL 30	PHOTO 		
REPORT PURPOSE REQUEST TO MODIFY CONDITIONS						
RECOMMENDATION MODIFICATION						
ORIGINAL OFFENSE Count 1: 18 U.S.C. §§ 2252A(a)(2) and 2252A(b)(1), Receipt of Child Pornography						
SENTENCE DISPOSITION Custody of the Bureau of Prisons for a term of 72 months, to be followed by a five-year term of supervised release. Modification: January 9, 2019, special conditions were modified as follows: REMOVE: “The defendant shall successfully complete any sex offender diagnostic evaluations, treatment/counseling programs and polygraph examinations as directed by the probation officer. Reports pertaining to sex offender assessments, treatment, and polygraph examinations shall be provided to the probation officer. As directed by the Court, the defendant shall pay all or part of the cost of the diagnostic evaluations, treatment or counseling programs, and polygraph examinations based upon their ability to pay.” “The defendant shall provide the probation officer with accurate information about all computer systems (hardware/software), all passwords, and Internet Service Provider(s), that the defendant has potential and/or reasonable access to and abide by all rules of the United States Probation Department’s Computer Monitoring Program. The defendant shall only access a computer approved by the United States Probation Department. The defendant shall consent to the probation officer conducting periodic, unannounced examinations of all computer systems, which may include computer monitoring software at the defendant’s expense. For the purpose of accounting for all computers, hardware, software and accessories, the defendant shall submit his/her person, residence, computer and/or vehicle to a search conducted by the United States Probation Department at a reasonable time and manner. You shall inform any other residents that the premises and your computer may be subject to a search pursuant to this condition. The defendant shall provide the probation officer with access to any requested financial information including billing records (telephone, cable, internet, satellite, etc.).”						

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<p>“The defendant shall only access the Internet through one Internet-capable device. All other Internet capable devices, such as cellular phones and gaming consoles, shall not have the Internet connected. The defendant is prohibited from accessing any online computer service at any location including, but not limited to public libraries, Internet cafes, and places of employment or education without the permission of the probation officer.”</p> <p>ADD:</p> <p>“The defendant shall successfully complete any sex offender diagnostic evaluations, treatment or counseling programs, as directed by the probation officer. Reports pertaining to sex offender assessments and treatment shall be provided to the probation officer. Based on the defendant’s ability to pay, the defendant shall pay the cost of diagnostic evaluations, treatment or counseling programs in an amount determined by the probation officer.”</p> <p>“The defendant shall be required to submit to periodic polygraph testing at the discretion of the probation officer as a means to ensure compliance with the requirements of supervision or treatment. No violation proceedings will arise solely on the results of a polygraph examination. Based on defendant’s ability to pay, the defendant shall pay the cost of the polygraph examination in an amount determined by the probation officer.”</p> <p>“The defendant shall participate in the Computer/Internet Monitoring Program (CIMP) administered by the United States Probation Department. The defendant shall abide by the Computer/Internet Monitoring Program Participant Agreement in effect at the time of supervision and comply with any amendments to the program during the term of supervision. Due to the advances in technology, the Court will adopt the amendments to the Computer/Internet Monitoring Programs as necessary. For the purpose of accounting for all computers, hardware, software and accessories, the defendant shall submit his/her person, residence, computer and/or vehicle to a search conducted by the U.S. Probation Department at a reasonable time and manner. The defendant shall inform any other residents that the premises may be subject to a search pursuant to this condition. The defendant shall provide the probation officer with access to any requested financial information including billing records (telephone, cable, internet, satellite, etc.).”</p>				
<p>ORIGINAL SPECIAL CONDITIONS</p> <ol style="list-style-type: none"> 1. The defendant shall participate in a program approved by the probation department for mental health counseling, including anger management, if deemed necessary. 2. The defendant shall submit to a psychological/psychiatric evaluation as directed by the probation officer, if necessary. 3. The defendant shall take all medications as prescribed by a physician whose care he/she is under, including a psychiatrist, in the dosages and at the times proposed. If the defendant is prescribed a medication, he/she shall take it, and the defendant shall not discontinue medications against medical advice. 4. The defendant shall enroll and participate in a Cognitive Behavior Therapy program (CBT) as approved by the probation officer, if necessary. 5. The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. 16901, et seq.) as directed by the probation officer, the United States Bureau of Prisons, or any state sex offender registration agency in which he/she resides, works, is a student, or was convicted of a qualifying offense. 6. The defendant shall successfully complete any sex offender diagnostic evaluations, treatment/counseling programs and polygraph examinations as directed by the probation officer. Reports pertaining to sex 				

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<p>offender assessments, treatment, and polygraph examinations shall be provided to the probation officer. As directed by the Court, the defendant shall pay all or part of the cost of the diagnostic evaluations, treatment or counseling programs, and polygraph examinations based upon their ability to pay.</p> <p>7. The defendant shall not associate with minor children under the age of eighteen (18), except in the presence of a responsible adult who is aware of the nature of the defendant's background and current offense, and who has been approved by the probation officer. The defendant shall not frequent places where children congregate on a regular basis (such as, but not limited to school grounds, playgrounds, child toy stores, video arcades, etc.).</p> <p>8. The defendant shall notify anyone they date or marry with a minor child under the age of eighteen (18) of their conviction.</p> <p>9. The defendant shall not purchase, sell, view, or possess images, in any form of media or live venue that depict pornography, sexually explicit conduct, child erotica, or child nudity. The defendant shall not patronize any place where such material or entertainment is available.</p> <p>10. The defendant shall provide the probation officer with accurate information about all computer systems (hardware/software), all passwords, and Internet Service Provider(s), that the defendant has potential and/or reasonable access to and abide by all rules of the United States Probation Department's Computer Monitoring Program. The defendant shall only access a computer approved by the United States Probation Department. The defendant shall consent to the probation officer conducting periodic, unannounced examinations of all computer systems, which may include computer monitoring software at the defendant's expense. For the purpose of accounting for all computers, hardware, software and accessories, the defendant shall submit his/her person, residence, computer and/or vehicle to a search conducted by the United States Probation Department at a reasonable time and manner. You shall inform any other residents that the premises and your computer may be subject to a search pursuant to this condition. The defendant shall provide the probation officer with access to any requested financial information including billing records (telephone, cable, internet, satellite, etc.).</p> <p>11. The defendant shall only access the Internet through one Internet-capable device. All other Internet capable devices, such as cellular phones and gaming consoles, shall not have the Internet connected. The defendant is prohibited from accessing any online computer service at any location including, but not limited to public libraries, Internet cafes, and places of employment or education without the permission of the probation officer.</p> <p>12. The defendant shall have employment pre-approved by the probation department. If the defendant's employment requires the use of a computer, the defendant shall notify the employer of the nature of his conviction and this notification must be confirmed by the probation officer.</p> <p>Criminal Monetary Penalty: Special Assessment \$100.00 (paid).</p>					
<p align="center">PETITIONING THE COURT</p> <p>To modify the condition of supervised release as follows:</p> <p>"THE PERSON UNDER SUPERVISION SHALL RESIDE IN A RESIDENTIAL REENTRY CENTER (RRC) FOR UP TO 120 DAYS. WHILE AT THE RRC, THE PERSON UNDER SUPERVISION SHALL ABIDE BY THE RULES AND REGULATIONS OF THE FACILITY.</p>					

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THE PERSON UNDER SUPERVISION SHALL BE ALLOWED TO EARN SOCIAL TIME IF IN COMPLIANCE WITH ALL FACILITY CRITERIA AND PROBATIONARY STANDARDS. DUE TO THE INABILITY TO PAY, THE OFFENDER'S SUBSISTENCE PAYMENTS SHALL BE WAIVED."

On August 20, 2019, THADDEUS LEWIS MCMICHAEL signed a Probation Form 49, Waiver of Hearing to Modify Conditions of Probation/Supervised Release, to include the above-noted proposed modification.

CAUSE


On June 27, 2019, MCMICHAEL reported to the probation office to undergo a maintenance polygraph exam covering the period from commencing supervised release to June 2019. During the pre-test interview, MCMICHAEL provided admissions stating he used his brother's cell phone as well as some coworkers' cell phones to view adult pornography. He also admitted to visiting a "bath house" which he reports is a venue for adults to engage in sexual activity and displays adult pornography on television screens throughout the building.

Since commencing supervision, MCMICHAEL has engaged in risky sexual behavior. His conduct is relevant to his treatment plan and overall hypersexual behavior that is putting himself at risk and possibly others. He admits to participating in unprotected group sex parties, sex with both male and female partners, and has a fascination with prostitutes. Although it appears he has not paid for the services of a prostitute, he admits to driving by known prostitution areas to observe female prostitutes engage potential customers.

Positively speaking, questions related to viewing child pornography, contact with minors appears not to be an issue. He admits to communicating with a girl he met while she was working at a McDonald's. They spoke over the phone or via text, but he reports once she revealed she was only 16, he ceased communication with her. A follow-up, issue-specific polygraph exam appears to confirm this. He denies active deviant thoughts about minors since prior to going to prison.

He currently resides with his father. Although it is cooperative, it appears to be a straining relationship. He is employed full-time at Heat Treating Services. All random drug screens have yielded negative results. A psychiatric evaluation also diagnosed him with Autistic Spectrum Disorder and Compulsive Sexual Behavior Disorder amongst others. He continues to attend group and individual sex offender treatment as well as monthly medication reviews and psychiatric appointments.

This writer and therapist previously addressed his hyper sexuality with the psychiatrist who eventually prescribed medication to help MCMICHAEL focus and somewhat reduce his libido. This seems to have had some positive affect, but this remains a struggle for him. This writer feels that in addition to providing a sanction for his violation conduct, placement at the RRC will provide more structure and accountability, and limit his ability to engage in risky behaviors while also protecting the public. In essence, RRC placement will slow him down a bit, and allow him to focus on treatment, employment, and securing his own residence so that he no longer has to rely on his father or others in the future. What complicates his supervision further is his lack of fear of returning to prison as

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<p>he has told this writer, his therapist and psychiatrist that prison was a great experience for him because he had all the free and paid sex he could want and did not have to work hard to seek relationships and sexual activity. Both this writer and his therapist continue to explain to him that he needs to learn to approach other adults, regardless of his sexual preference, in society and feel comfortable with his sexuality and not have to resort to prison for relationships of any kind. However, if he continues to struggle with complying with the conditions of supervised release and those of society, he leaves few options to assist him further.</p> <p>A criminal record check completed through Access to Law Enforcement Systems (ATLAS) on August 30, 2019, revealed no new criminal activity.</p> <p>If your Honor agrees with this recommendation, please indicate below and return this correspondence to the probation department. If your Honor does not agree, please indicate below and direct the probation department as to how the Court wishes to proceed.</p> <p>Should your Honor have any questions or concerns, this writer may be reached at the number below.</p>					
PROBATION OFFICER s/Jeffry W. Konal/slg/djl 313-234-5407			DISTRIBUTION Court		
SUPERVISING PROBATION OFFICER s/Marc W. Calandra 313-234-5131			PROBATION ROUTING Data Entry		
<p>THE COURT ORDERS:</p> <p>[X] Modification as Noted Above</p> <p>[] Other</p> <div style="text-align: right; margin-top: 20px;">  <p> <u>s/Denise Page Hood</u> Chief United States District Judge <u>September 19, 2019</u> Date </p> </div>					